



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We make Indiana a cleaner, healthier place to live.

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Name and Address

Dear Sir or Madam:

Re: NPDES Permitting of Mercury

This letter is being sent to all NPDES permit holders that are classified as a major facility. The purpose of this letter is to inform you of IDEM's revised mercury monitoring and limitation requirements for NPDES permitted facilities in Indiana. Initially, revisions to mercury monitoring requirements will affect those facilities classified as "major facilities."

As described in the enclosed pamphlet, IDEM is pursuing an approach that contains short-term and long-term components. The long-term approach is directed towards permit holders that demonstrate they cannot consistently comply with mercury limits that are or will be contained in their NPDES permits. The long-term approach consists of a rulemaking specific to a state-wide mercury variance. The start of this rulemaking was announced in the June 1, 2002, Indiana Register. This letter primarily describes the short-term component and serves as an information piece for the regulated community.

On June 8, 1999, EPA approved a new mercury analytical procedure named Method 1631 [FR Vol.64, No. 109, Pages 30417-30434]. Prior to the approval of this new method, Method 245.1 and Method 245.2 were the EPA approved methods commonly used to analyze for mercury. The major difference between the two older methods and the new method, from a regulatory perspective, is that Method 1631 is considerably more sensitive and is able to measure mercury down to a level that is below mercury water quality criteria.

Specifically, Method 1631 has a level of quantitation of 0.5 ng/l (nanograms per liter or parts per trillion) whereas the level of quantitation of Methods 245.1 and 245.2 is 600 ng/l. In the Great Lakes System, the most stringent mercury water quality criterion is 1.3 ng/l. In the non-Great Lakes System, the most stringent water quality criterion is 12 ng/l. As can be readily seen, the new method is able to measure below both sets of mercury water quality criteria.

The goal of the short-term component is to continue issuing NPDES permits in a timely manner and address short-term compliance issues while addressing mercury in the NPDES permitting process:

Upon submittal of a renewal application by a major facility, IDEM will determine whether their NPDES permit should contain a limit for mercury. If a new or more stringent mercury limit is included, the permit will also contain a compliance schedule: a 3-year schedule for a facility not in the Great Lakes system or 5-year schedule for a facility in the Great Lakes system. Compliance will be based on the new method.

If a limit is not included in the renewed NPDES permit, the permit will be issued with a requirement to monitor the effluent for mercury every other month using the new method. The monitoring will be required to start within 12 months from the permit issuance date. The permit may also include a reopener clause that allows the permittee to request a reduction in the monitoring frequency if the data show that mercury does not require a limitation.

Please note that IDEM is currently revising the NPDES permit applications. Once the new NPDES permit applications are available, NPDES permit applicants will be required to provide analytical data in the renewal application for mercury using Method 1631. The new NPDES permit applications are expected to be available and required by the end of 2002. The recommended, but not required, mercury monitoring frequency for representative effluent mercury characterization for NPDES permit application purposes is bi-monthly (i.e. every other month) during twelve consecutive months.

If you have any questions, please contact Lonnie Brumfield at 317.233.2547 or email him at lbrumfie@dem.state.in.us.

Sincerely,

Jon C. Mangles, QEP
Permits Branch Chief
Office of Water Quality

Enclosures: Mercury Pamphlet
QA/QC Information